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PATENT TRAINING MARK OFFICE

Case No.: 56111US002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: EPSTEIN, KENNETH A.

Application No.: 09/922438

Group Art Unit: 2872

Filed: August 3, 2001

Examiner: Pritchett, Joshua L.

Title: OPTICAL FILM HAVING MICROREPLICATED STRUCTURES; AND METHODS

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
Washington, DC 20231

CERTIFICATE OF TRANSMISSION	
To Fax No.: 703- 872- 9318	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
April 15, 2003 Date	<i>Heather M. Sumter</i> Signed by: Heather M. Sumter

Dear Sir:

This response is to the Office Action mailed April 2, 2003. Claims 1-24 have been restricted under 35 U.S.C. § 121 as follows:

I. Claims 1-16 are said to be drawn to a light direction filter, classified in Class 359, subclass 599; and

II. Claims 17-24 are said to be drawn to a method of making an optical filter involving a cutting tool, classified in Class 359, subclass 900.

Applicants hereby elect Group I (i.e., claims 1-16) with traverse, and respectfully request reconsideration and withdrawal or modification of the restriction requirement.

Applicants submit the Groups I and II claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I and II claims in different classes and subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so

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interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Respectfully submitted,

15 April 2003
Date

By:

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To: Commissioner for Patents
USPTO

Your Ref: 09/922,438

Phone:

Fax No. 703-872-9318

From: William D. Miller 37,988

Our Ref: 56111US002

Phone: 651-733-6649

Fax No. 651-736-3833

Remarks: ☐ Urgent ☐ Acknowledge ☐ Reply ASAP ☐ Please Comment

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